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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,629	03/24/2004	Dennis Cox	062891.0638	6090
5073	7590	05/29/2008	EXAMINER	
BAKER BOTTS LLP, 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			OKORONKWO, CHINWENDU C	
ART UNIT		PAPER NUMBER		
2136				
NOTIFICATION DATE		DELIVERY MODE		
05/29/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptomail1@bakerbotts.com  
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<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/808,629	<b>Applicant(s)</b> COX ET AL.
	<b>Examiner</b> CHINWENDU C. OKORONKWO	<b>Art Unit</b> 2136

*--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

THE REPLY FILED 01 May 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a)  The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.  
 b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
 Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
 (a)  They raise new issues that would require further consideration and/or search (see NOTE below);  
 (b)  They raise the issue of new matter (see NOTE below);  
 (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
 (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.

6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: \_\_\_\_\_.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
*See Continuation Sheet*

12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_.

13.  Other: \_\_\_\_\_.

/Nasser G Moazzami/  
 Supervisory Patent Examiner, Art Unit 2136

Continuation of 11. does NOT place the application in condition for allowance because: In response to the Applicant argument that the Malkin reference fails to disclose a request for acknowledgment from the initiator, the Examiner respectfully disagrees citing column 3 lines 21-65, which recites, "the PPP authentication phase begins ... marked by the RAS" the initiator "sending a Challenge Handshake Authentication Protocol (CHAP) Challenge of Password Authentication Protocol (PAP) message to the remote node. In response ... the remote node passes a set of user authentication information to the RAS ... the RAS uses the information received from the remote node to query the TMS for additional information needed to complete authentication of the remote node via remote AS residing in the home network ... the TMS will provide the RAS with information to complete the authentication request and establish a tunnel with the appropriate gateway on behalf of the remote node." This disclosure of the RAS responding to the CHAP or PAP of the node it originally originated the communication with is understood to read upon the argued claim limitations

In response to the Applicant argument that the Malkin reference fails to disclose "comparing a source address of the data packet against known internal addresses of the private network" and "determining if source address matches a known internal address," the Examiner cites column 4 lines 1-14 which recites a TMS database containing "the Internet Protocol (IP) address of the gateway interface and the Internet Protocol (IP) address of the appropriate AS located within the home network." This information is stored by the RAS and used "generate an authentication request." Further Malkin recites in column 4 lines 15-22, "all traffic between the RAS and the gateway, including the authentication request and reply, and tunnel registration and response, are transmitted via IP protocol messaging," which the Examiner understands to comprise the claimed and argued "comparing a source address of the data packet against known internal addresses of the private network" and "determining if source address matches a known internal address." The Examiner further cites column 3 lines 54-64, which recites, "TMS uses the domain part of the login name and DNIS number, if provided, as a compound key to find an entry in the TMS database." If an entry is found "the TMS database ... the TMS will provide the RAS with information to complete the authentication request and establish a tunnel with the appropriate gateway on behalf of the remote node" and if the entry is not found "the TMS will send a message to the RAS indicating an entry was not found [and] terminate the PPP connection with the remote node." Again the Examiner understands this disclosure to comprise the functions of "comparing a source address of the data packet against known internal addresses of the private network" and "determining if source address matches a known internal address" as claimed by the Applicant, although not explicitly recited.